HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No.20365 of 2004

Dated this the 24th day of December, 2007

Between:

Smt. K. Lakshmi Devamma … Petitioner

AND

The Assistant Commissioner of
Endowments, Mahabubnagar District,
Mahabubnagar … Respondent

HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No.20365 of 2004

ORDER:

This Writ Petition has been filed by the petitioner seeking to

declare that the action of the respondent-Assistant Commissioner of Endowments, Mahabubnagar, calling for the applications from the public for constituting a non-hereditary trust board to Sri Narasimha Swamy Vemulavada Devastanam, Appreddypally village, Madugula Mandal, Mahabubnagar District is illegal, arbitrary and contrary to law.

2) The petitioner contended that the petitioner has filed an application on 20.05.2000 before the respondent seeking to declare that she is a member belonging to the family of founders and sought for recognition as founder trustee. Though the application was filed in the year 2000, the respondent has not passed any order on it till today, instead he issued impugned proceedings dated 21.06.2004 calling for the applications from the public under Section 15 (3) of the Endowments Act for constitution of a non-hereditary trust board to the subject temple.

3) The learned counsel for the petitioner submitted that the respondent ought to have taken steps for appointment of trust board after deciding the right of the petitioner to be recognized as member of the founder's family. Therefore, he requested to quash the impugned proceedings on the ground of non-passing of any orders on the application of the petitioner, dated 20.05.2000.

4) The interim injunction was given by this Court on 06.06.2005 to dispose of the application made by the petitioner within one week from the date of receipt of the order. But, there was no information whether any order was passed on the application made by the petitioner. No purpose will be served by keeping the writ petition pending.

5) Accordingly, the Writ Petition is disposed of directing the respondent to communicate the order, if any, passed on the application of the petitioner, dated 20.05.2000. If no order has been passed, the

respondent is directed to pass appropriate orders after giving opportunity to the respective parties within four weeks from the date of receipt of copy of this order and if there is any proposal for appointment of trust board, the respondent is directed to take further steps after disposal of the application of the petitioner, dated 20.05.2000. No order as to costs.

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Dr.G. YETHIRAJULU, J

Date: 24-12-2007
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